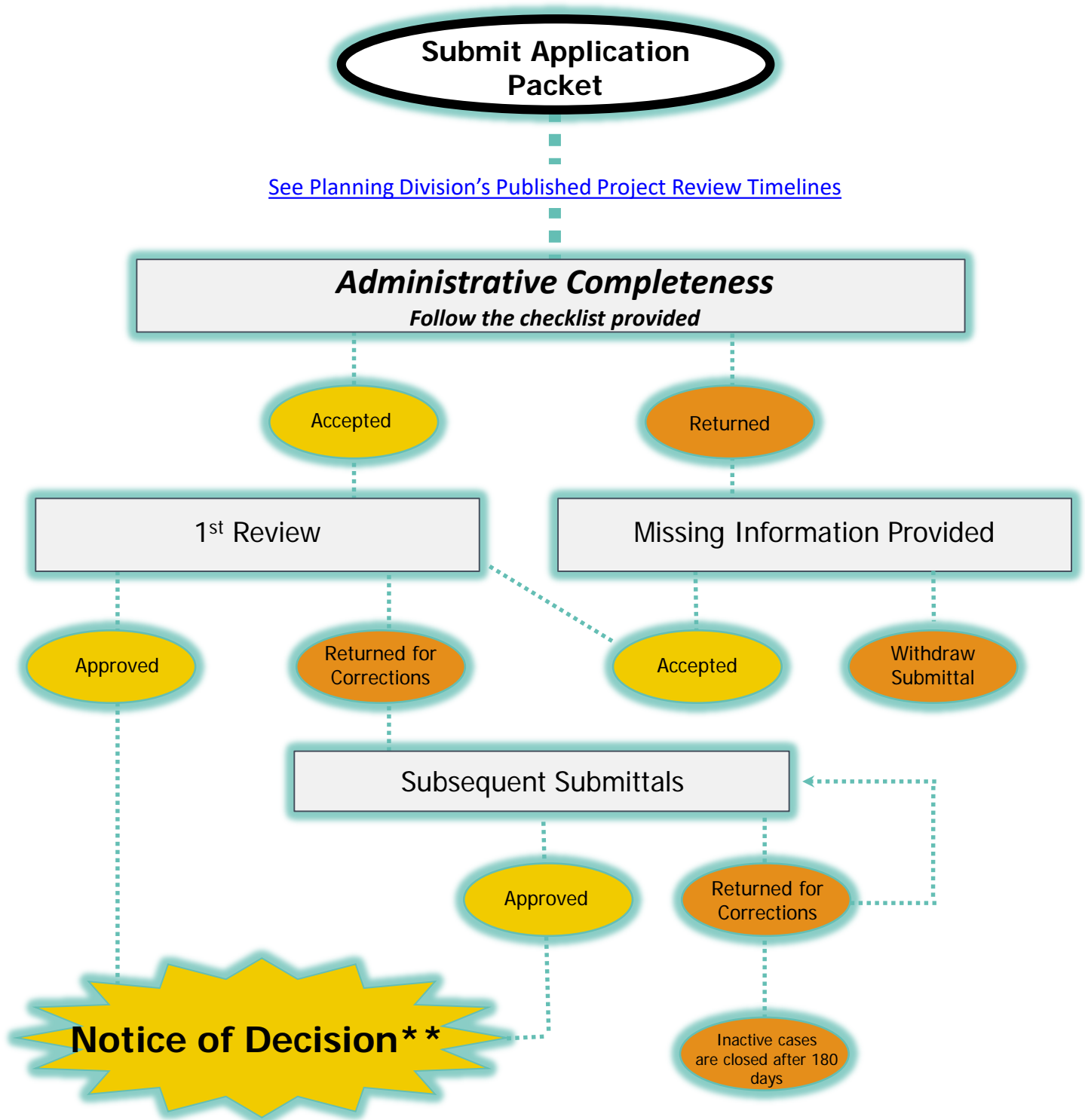


# Standard Plans – Amendment Administrative/Transfer/Addition



\*\*The Planning Manager may refer any application to the Planning Commission / Design Review Board for action.\*\*

# **Standard Plans – Amendment Administrative/Transfer/Addition**

## Additions

- Only two (2) standard plan additions may be processed administratively. More than two (2) plans will require approval of the Planning Commission/Design Review Board.

## Transfers

- A policy to transfer Residential Standard Plans was adopted by Resolution of the Design Review Board on October 11, 2001. Minimum criteria for consideration includes:
  - Standard plans must have received approval by the Design Review Board within the last 36 months.
  - The maximum number of lots for the originally approved standard plans plus lots in subsequently approved project for these standard plans shall not exceed 500 lots.
  - The lot size for the approved standard plans shall be comparable to the lot size of the proposed subdivision. Product designed for smaller lots has a limited amount of detail and massing. Product designed for larger lots require additional detailing. Staff may require additional design features for approved standard plans to be acceptable for a lot size that is slightly larger than the original lot size.
  - The original approval must have a minimum of four standard plans approved by the Design Review Board.
  - No standard plans may be transferred to subdivisions within the Gateway Character area and the Heritage District Character area. Standards plans approved within the Gateway Character area and the Heritage District Character area may be transferred within their own Character areas.
  - Approved standard plans from separate projects may be combined to form a proposed set of standard plans to transfer. A minimum of four standard plans is required for the proposed subdivision. Building elevations for this new set of standard plans will be compatible and provide a unified design theme.
  - Design Review Board stipulations for the approved standard plans shall be maintained.
  - Additional stipulations may be required to comply with General Plan design policies related to the Character Area for the proposed transfer.
  - Additional stipulations may be required for design features required by an Ordinance. The approved standard plans shall meet zoning standards in the proposed subdivision.
  - No zoning ordinance amendment will be supported to accommodate the product transfer.

# **Standard Plans – Amendment Administrative/Transfer/Addition**

## Amendment Administrative

- Changes to a Standard Plan Elevation that significantly change the appearance or adversely affect the aesthetics of the footprint of the elevation. Examples include: changes to square footage and footprint on typical plot plan, addition or significant change of a color scheme, roof style change, significant additions or changes of architectural features, changes to patios or porches.
- Useful Links on Gilbert's Planning & Development webpage:
  - [Development Fee Schedule](#)
  - [Planning Division Project Review Timelines](#)
  - [General Plan Character Area Map](#)
  - [Zoning and Land Development Code](#)
  - [Zoning Map Noting Overlay Zoning Districts](#)
  - [Heritage District Design Guidelines](#)
  - [System Development Fees Area Map](#)
  - [Gateway Area Traditional Neighborhood Design Guidelines](#)
  - [Residential Design and Development Guidelines](#)

# Attachment 1

## Standard residential house plan conditions adopted by resolution of the Design Review Board on December 14, 2000.

1. A minimum of three architecturally different covered patio designs shall be provided for each standard plan on lots that back to common open space or public streets. The designs will incorporate differing rooflines such as a parapet design, a gabled design or other appropriate design given the main structure rooflines. All patio columns shall be of substantial dimensions (i.e. 12" stucco column) and constructed of materials compatible with the exterior elevations.
2. A minimum of three (3) different garage doors shall be offered as a standard feature for each standard plan. Different designs may include short vs. long panels and decorative, divided-light panels.
3. No house product of the same floor plan and elevation shall be built adjacent or across from one another. Across is defined as any lots having common frontage.
4. The same color scheme is not permitted on adjacent residences.
5. Provide reverse elevations, where possible, on adjacent lots to keep the garage doors from always being on the same side of the lots
6. Detailing (i.e. veneer stone, brick, shutters, window mullions, decorative corbels, etc.) as shown on the approved elevations shall be standard and clearly labeled on the construction documents. Substantial deviations from the approved elevations shall be reviewed by the Design Review Board.
7. No similar rear elevations shall be allowed adjacent to one another along open spaces or public right-of-ways. Window detailing shall be applied to the side or rear elevations that side or back onto an open space or public street. The detailing shall be clearly noted on the construction documents.
8. Wainscoting pop outs and other horizontal banding details applied to the front elevation shall be wrapped around the corner of the house to the return wall or to a prominent end-column feature.
9. All exposed metal roof vents and utility equipment shall be painted to match the adjacent roof or building color. This shall be clearly noted on the construction documents.
10. All ground-mounted mechanical equipment within a side or rear yard of a lot enclosed by a view wall shall be fully screened by a finished wall.
11. These conditions and any additional conditions approved by the Design Review Board shall be placed on the cover sheet of the first house plan construction submittal and all subsequent submittals for each individual standard plan.

## Attachment 2

### Policy Review under IRC 2012 Code Fire Separation Requirement

The following will be the policy of review for all plans reviewed under the IRC 2012 Code in regard to 5' fire separation requirement.

Any structural or architectural element that encroaches within 5' of any lot line (ground to sky) will be required to be designed as a 1 hour fire rated assembly. Exception; an architectural element constructed of heavy timber or of foam material covered by stucco may encroach into this 5' required fire separation.

Please see supporting code reference below:

#### SECTION R302 EXTERIOR WALL LOCATION

##### R302.1 Exterior walls

Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with Section P2904 shall comply with Table R302.1(2).

**TABLE R302.1(1)  
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire resistance rated	1 hour –tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	<5 feet
	Not fire resistance rated	0 hours	≥5 feet
Projections	Fire resistance rated	1 hour on the underside	≥2 feet to <5 feet
	Not fire resistance rated	0 hours	≥5 feet
Openings in Walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section 302.4	< 5 feet
		None required	5 feet

**TABLE R302.1(2)  
EXTERIOR WALLS - DWELLINGS WITH FIRE SPRINKLERS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire resistance rated	1 hour –tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	0 feet
	Not fire resistance rated	0 hours	3 feet <sup>a</sup>
Projections	Fire resistance rated	1 hour on the underside	2 feet <sup>a</sup>
	Not fire resistance rated	0 hours	3 feet
Openings in Walls	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	3 feet <sup>a</sup>
Penetrations	All	Comply with Section 302.4	< 3 feet
		None required	3 feet <sup>a</sup>

1 foot = 304.8 mm

N/A = Not Applicable

<sup>a</sup> For residential subdivision where all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with Section P2904, the fire separation distance for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

# Attachment 3

## SAMPLE LOT FIT ANALYSIS MATRIX

<b>Required Setbacks</b>			<b>Zoning</b>		<b>Ordinance #:</b> _____		<b>Special Condition Notes:</b>													
Front Setback = 25'			SF-10				1. Use and Benefit Easement													
*Front setback can be reduced to 20' for side entry							2. Landscape and Pedestrian Easement													
Rear Setback = 30'							3. Public Utility Easement													
Side Setbacks = 10' & 10'							4. Other Easement													
							5.Arterial Street Adjacency - Increased Setback Required													
							6. Open Space Tract Adjacency - Increased Setback Required													
							7. Corner Lot													
							8. Other Notes													
<b>Maximum Lot Coverage (%)</b>																				
40% Maximum Lot Coverage for 2-Story																				
45% Maximum Lot Coverage for 1-Story																				
			Plan 170.3283 Elevation "A"						Plan 170.3283 Elevation "B"						Plan 170.3283 Elevation "C"					
Lot Number	Special Conditions	Lot Area (Sq. Ft.)	Fit Y/N	Front Setback	Side Setback	Rear Setback	Std. Footprint Coverage % 4,204 S.F.	Max. Footprint Coverage % 4,524	Fit Y/N	Front Setback	Side Setback	Rear Setback	Std. Footprint Coverage % 4,216 S.F.	Max. Footprint Coverage % 4,536 S.F.	Fit Y/N	Front Setback	Side Setback	Rear Setback	Std. Footprint Coverage % 4,380 S.F.	Max. Footprint Coverage % 4,700 S.F.
160	3,4	12,364	Y	25'	10'	30'	34%	37%	Y	25'	10'	30'	34%	37%	Y	25'	10'	30'	35%	38%
161	3,4	12,435	Y	25'	10'	30'	34%	36%	Y	25'	10'	30'	34%	36%	Y	25'	10'	30'	35%	38%
162	3,4	12,506	Y	25'	10'	30'	34%	36%	Y	25'	10'	30'	34%	36%	Y	25'	10'	30'	35%	38%
163	3,4	12,577	Y	25'	10'	30'	33%	36%	Y	25'	10'	30'	34%	36%	Y	25'	10'	30'	35%	37%
164	3,4	12,649	Y	25'	10'	30'	33%	36%	Y	25'	10'	30'	33%	36%	Y	25'	10'	30'	35%	37%
165	3,4	12,720	Y	25'	10'	30'	33%	36%	Y	25'	10'	30'	33%	36%	Y	25'	10'	30'	34%	37%
166	3,4	12,791	Y	25'	10'	30'	33%	35%	Y	25'	10'	30'	33%	35%	Y	25'	10'	30'	34%	37%
167	3,4	12,882	Y	25'	10'	30'	33%	35%	Y	25'	10'	30'	33%	35%	Y	25'	10'	30'	34%	36%
168	3,4	12,934	Y	25'	10'	30'	33%	35%	Y	25'	10'	30'	33%	35%	Y	25'	10'	30'	34%	36%
169	3,4	13,005	Y	25'	10'	30'	32%	35%	Y	25'	10'	30'	32%	35%	Y	25'	10'	30'	34%	36%
170	3,4	13,076	Y	25'	10'	30'	32%	35%	Y	25'	10'	30'	32%	35%	Y	25'	10'	30'	33%	36%
171	3,4	13,164	Y	25'	10'	30'	32%	34%	Y	25'	10'	30'	32%	34%	Y	25'	10'	30'	33%	36%
172	3,4	14,007	Y	25'	10'	30'	30%	32%	Y	25'	10'	30'	30%	32%	Y	25'	10'	30'	31%	34%
173	3,4,7	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%
174	3	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%
175	3	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%
176	3	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%
177	3	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%
178	3	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%
179	3	11,700	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	36%	39%	Y	25'	10'	30'	37%	40%

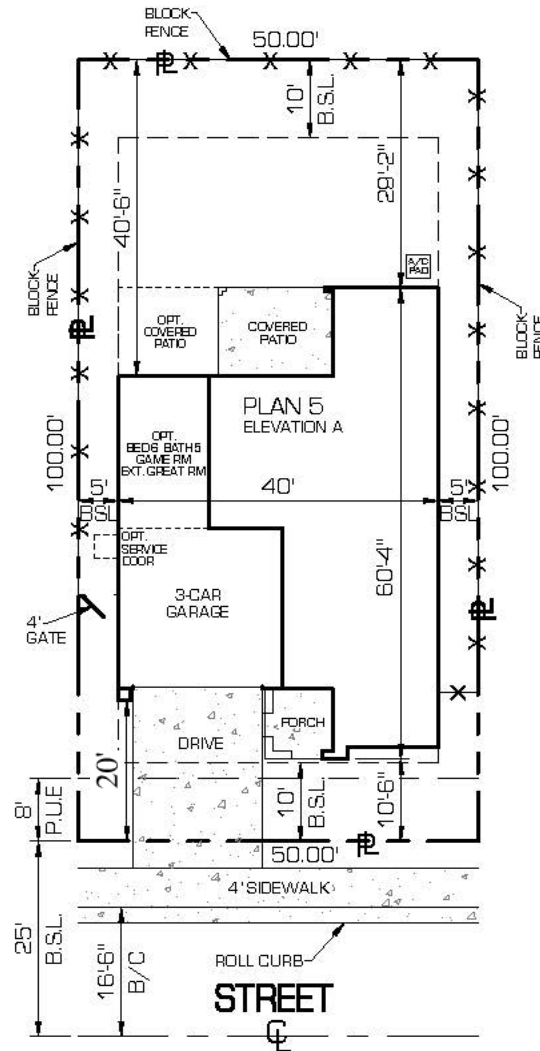
# Attachment 4

## Sample Standard Plot Plan

NOTE: ALL DIMENSIONS, LOCATIONS AND FEATURES SHOWN ON THIS PLOT PLAN ARE APPROXIMATE AND ARE ONLY AN ARTIST'S RENDERING. EXACT LOCATION OF ALL FEATURES ARE SUBJECT TO CHANGE AND MAY NOT BE INSTALLED EXACTLY AS SHOWN ON PLANS AND/OR IN MODELS. PLACEMENT OF HOME, DRIVEWAY, SIDEWALKS AND EXTERIOR FEATURES ARE SUBJECT TO MODIFICATION AS DEEMED NECESSARY BY FIELD PERSONNEL.

### PLOT PLAN

SCALE: 1" = 20'-0"



Ordinance #: \_\_\_\_\_

ZONING  
SF-D PAD

#### BUILDING SETBACKS

FRONT..... = 10' / 20'  
 ♦ 10' FOR LIVABLE/SIDE ENTRY GARAGE  
 ♦ 18' TO FACE OF GARAGE  
 REAR..... = 10'  
 SIDES..... = 5' & 5'



DRIVEWAY..... = 380 Sq. Ft.  
 ENTRY WALK..... = 2 Sq. Ft.  
 APRON/CURB CUT..... = N/A Sq. Ft.  
 BLOCK FENCE..... = 201 Lin. Ft.

60% MAX. SINGLE STORY

50% MAX. TWO STORY

#### STANDARD FOOTPRINT

TOTAL LIVABLE..... = 2,904 Sq. Ft.  
 2nd FLOOR LIVABLE..... = 1,708 Sq. Ft.  
 1st FLOOR LIVABLE..... = 1,196 Sq. Ft.  
 GARAGE(S)..... = 643 Sq. Ft.  
 COVERED PORCH..... = 87 Sq. Ft.  
 COVERED PATIO(S)..... = 178 Sq. Ft.  
 TOTAL FOOTPRINT..... = 2,102 Sq. Ft.  
 LOT AREA..... = 5,000 Sq. Ft.  
 LOT COVERAGE %..... = 42.0 %

#### MAX. FOOTPRINT

TOTAL LIVABLE..... = 2,904 Sq. Ft.  
 2nd FLOOR LIVABLE..... = 1,708 Sq. Ft.  
 1st FLOOR LIVABLE..... = 1,196 Sq. Ft.  
 GARAGE(S)..... = 643 Sq. Ft.  
 COVERED PORCH..... = 87 Sq. Ft.  
 COVERED PATIO(S)..... = 304 Sq. Ft.  
 TOTAL FOOTPRINT..... = 2,230 Sq. Ft.  
 LOT AREA..... = 5,000 Sq. Ft.  
 LOT COVERAGE %..... = 44.6 %

## Attachment 5

### SAMPLE ELEVATION MATRIX

#### Front Elevation Matrix



#### Rear Elevation Matrix





## Attachment 5

### SAMPLE ELEVATION MATRIX

#### Left Elevation Matrix



#### Right Elevation Matrix



## **Standard Plans – Amendment Administrative/Transfer/Addition**

### **Submittal Formatting, Required Materials and Checklist:**

- ☐ Over the Counter Submittal:
  - ☐ **Submit electronic copy of ALL** required items on checklist. **(No 24" x 36")**
  - ☐ Submit a hard copy (8.5" x 11" or 11" x 17" only) of the entire packet with the electronic copy and payment. **(No 24" x 36")**
  - ☐ **Purge** images of unnecessary blocks and layers (single layer).
  - ☐ **Save each exhibit as a separate PDF per document naming below.**

### **Document Naming:**

- ☐ Exhibit 1: Application
- ☐ Exhibit 2: Project Narrative
- ☐ Exhibit 3: Parcel/Aerial Map
- ☐ Exhibit 4: Vicinity Map
- ☐ Exhibit 5: Project Data Sheet
- ☐ Exhibit 6: Final Plat Application
- ☐ Exhibit 7: Final Plat
- ☐ Exhibit 8: Typical Plot Plans
- ☐ Exhibit 9: Color and Materials Board
- ☐ Exhibit 10: Elevation Matrix
- ☐ Exhibit 11: Elevations
- ☐ Exhibit 12: Floor Plans
- ☐ Exhibit 13: Lot Fit Analysis
- ☐ Exhibit 14: Letter from Architectural Review Committee, Property Owner's Association/ Home Owners Association (if applicable)
- ☐ Exhibit 15: Neighborhood Meeting (if applicable)

### **Checklist**

- ☐ **Exhibit 1: Application**
  - ☐ Must be fully completed and signed.
- ☐ **Exhibit 2: Project Narrative**
  - ☐ Project Narrative should be typed in a 12pt font and no more than 5 pages in length
  - ☐ Describe proposed project;
  - ☐ Project compliance with existing zoning requirements and Planned Area Development (PAD) conditions that affect the design or placement of homes in the approved subdivision plat; and
  - ☐ Address the housing product compliance with Character Area design criteria, if located in a Character Area.
  - ☐ List all architectural features used for each elevation style (example: Spanish – hip and gable roof, S-shaped roof tile, arched windows, etc.)
  - ☐ List lots and/or phases that standard plans apply to.

☐ **Exhibit 3: Parcel /Aerial Map**

- ☐ Maricopa County Assessor Parcel Map (Highlight project area and provide parcel number (s);
- ☐ Aerial with Parcel Boundary.

☐ **Exhibit 4: Vicinity Map**

- ☐ Highlight project area and show adjacent streets

☐ **Exhibit 5: Project Data Sheet**

- ☐ Please make sure to complete all requested information on the [Project Data Sheet](#).

☐ **Exhibit 6: Final Plat Application**

- ☐ Provide copy of stamped received final plat application;

☐ **Exhibit 7: Final Plat**

- ☐ Provide copy of the final plat;
- ☐ If developed in phases provide a key map highlighting lots included in submittal

☐ **Exhibit 8: Typical Plot Plans**

- ☐ Graphic scale, north arrow, dimensions and exhibit date;
- ☐ Home Builder and Subdivision Name;
- ☐ Plan Number, Minimum lot area and typical lot lines;
- ☐ Location of ground mounted mechanical equipment screened from public view.
- ☐ Identify all features: plan options, roof overhangs, upper levels, building projects identified with a dashed line, distance of overhangs /projections to property line (must comply with the IRC 2012 code requirements)\*\*
- ☐ Required building setbacks;
- ☐ Front setback stagger (if applicable) (If all plans cannot meet front setback stagger requirements, identify predetermined lot staggers on the lot fit analysis);
- ☐ Proposed and allowed building lot coverage;
- ☐ Maximum lot coverage of elevations with maximum square footage/features. \*If all options exceed allowable lot coverage, add a note stating such that options may be limited;
- ☐ Identify standard easements;
- ☐ Location of typical driveway dimension; and
- ☐ Provide additional plot plans for each elevation style (A, B and C) if footprints, setbacks or lot coverage vary.

**NOTE:** *Illustration of Typical Plot Plan referenced above included in the Process Guide.*

☐ **Exhibit 9: Color and Materials Board**

- ☐ A matrix of all proposed color schemes for all elevations, noting color, material names and manufacturer number
- ☐ Samples of all veneer and roof material.

☐ **Exhibit 10: Elevation Matrix**

- ☐ Provide a colored matrix of all front, rear and side elevations for each standard plan.

**NOTE:** *Illustration of Elevation Matrix referenced above included in the Process Guide.*

☐ **Exhibit 11: Elevations**

- ☐ Provide a sample street scene;
- ☐ Provide one colored set and one black and white set
- ☐ Graphic scale and exterior dimensions;
- ☐ Home Builder and Subdivision Name;
- ☐ Minimum of four standard plans and a minimum of three elevations per standard plan;
- ☐ Building elevations for all sides;
- ☐ Provide elevations for each standard floor plan proposed for the project;
- ☐ Provide additional elevations of each floor plan with all optional features per standard plan, (i.e., windows, extended porches;
- ☐ Minimum of three different garage door designs for each standard plan;
- ☐ Identify materials proposed, including decorative elements as standard features;
- ☐ Identify accent features such as window trims or other features that project from the main wall plane and note their depth;
- ☐ Identify accents, details (i.e., corbels, exposed rafter tails, etc.) and other areas requiring fire rating per IRC 2012 Section R 302.1
- ☐ Identify gutters and downspouts painted to match, if applicable;
- ☐ All elevations must be oriented consistently with the floor plans;
- ☐ Standard Plan Notes are applicable to all residential standards plans and must be placed on the cover sheet of the construction documents.

**NOTE:** *Illustration of Standard Plan Notes referenced above included in the Process Guide.*

☐ **Exhibit 12: Floor Plans**

- ☐ Graphic scale, dimensions and exhibit date;
- ☐ Home Builder and Subdivision Name;
- ☐ Interior space distribution with dimensions;
- ☐ Exterior walls and interior partitions;
- ☐ Line of second floor above and line of first floor below (for two story homes);
- ☐ Fenestration;
- ☐ Stairs; and
- ☐ Provide additional floor plans for all elevation styles, including separate details for optional features (i.e., windows, extended porches/patios, extended garages, walk decks, casitas, etc.);
- ☐ Label all rooms with square footage

☐ **Exhibit 13: Lot Fit Analysis Matrix**

- ☐ Provide a lot fit analysis matrix which includes the required setbacks, ordinance #, zoning, maximum lot coverage, special condition notes for each standard plan and elevation.

**NOTE:** *Illustration of Lot Fit Analysis Matrix referenced above included in the Process Guide.*

## **Additional Required Materials For Partially Built/Sold Residential Tract Home Development Revisions or Additional Standard Plans**

☐ **Exhibit 14: Letter from Architectural Review Committee, Property Owner's Association / Home Owner's Association (if applicable)**

- ☐ Letter from Architectural Review Committee or Property Owner's Association or HOA stating their approval of this project.

☐ **Exhibit 15: Neighborhood Meeting (if applicable)**

- ☐ Please refer to Section 5.602.A.3 of the Land Development Code for requirements.
- ☐ A parcel map highlighting properties within 300 feet, Homeowners Associations and neighborhoods within 1000 feet of the property and the typed names and address of all property owners identified on parcel map (<http://mcassessor.maricopa.gov/>).



Plan Type: Standard Plans

Work Class: Amendment Administrative/Transfer/Addition

Description (Proposal Name): \_\_\_\_\_

Approved ST File Number: \_\_\_\_\_

Address or Location: \_\_\_\_\_

Request: ☐ Standard Plan Transfer ☐ Standard Plan Addition  
(work class) ☐ Amendment Administrative

No. of Standard Plans: \_\_\_\_\_ No. of Elevations: \_\_\_\_\_ Total No. of Lots: \_\_\_\_\_

APN/Tax Parcel Numbers: \_\_\_\_\_

Gross/Net Acres: \_\_\_\_\_ Zoning: \_\_\_\_\_

General Plan Character Area: ☐ Santan ☐ Heritage District  
(if applicable) ☐ Gateway ☐ Morrison Ranch

Overlay Zoning District: ☐ Santan Freeway Corridor ☐ Vertical Development  
☐ Phx/Mesa Gateway Airport

**Property Owner: (All information must be provided)**

Name (print): \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ ☐ Business ☐ Mobile ☐ Home ☐ Other

Signature\*: \_\_\_\_\_ Date: \_\_\_\_\_

\*If signature is not provided above, a letter of authorization from the property owner is required.

**Applicant/Contact: (All information must be provided)**

Company: \_\_\_\_\_

Contact: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ ☐ Business ☐ Mobile ☐ Home ☐ Other

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Administrative Completeness Review

Staff will review the application to ensure all required documents and information has been included. If required information is missing, applicant will be notified that the application has been rejected until all required information is submitted. If the application is rejected, upon resubmittal, a new Administrative Completeness Review will be conducted. Staff may also determine if the request does not fall under the purview of this application type.

**A.R.S. § 9-843. Prohibited acts by municipalities and employees; enforcement; notice**

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

Staff Use Only:  
Permit Number: \_\_\_\_\_